

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LISA ANN EMMETT,

Defendant.

CR 20–53–BLG–DLC

ORDER

United States Magistrate Judge Timothy J. Cavan entered his Findings and Recommendation on February 23, 2021. (Doc. 78.) As neither party objected, they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan recommends that the Court accept Lisa Ann Emmett’s guilty plea after Emmett appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to possession with intent to distribute

controlled substances, in violation of 21 U.S.C. § 841(a)(1), as charged in Count II of the Indictment.

Finding no clear error, IT IS ORDERED that the Court ADOPTS the Findings and Recommendation (Doc. 78) IN FULL.

IT IS FURTHER ORDERED that Lisa Ann Emmett's motion to change plea (Doc. 65) is GRANTED, and Lisa Ann Emmett is adjudged guilty as charged in Count II of the Indictment.

DATED this 11th day of March, 2021.



---

Dana L. Christensen, District Judge  
United States District Court